

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LISA STEINAGEL,	)	
	)	Civil Action
Plaintiff	)	No. 12-cv-05645
	)	
vs.	)	
	)	
VALLEY ORAL SURGERY,	)	
	)	
Defendant	)	

**O R D E R**

NOW, this 30<sup>th</sup> day of September, 2013, upon  
consideration of the following documents:

- (1) Defendant's Motion to Dismiss and/or Strike Plaintiff's Amended Complaint, which motion was filed on November 28, 2012; together with
  - (A) Defendant's Brief in Support of Motion to Dismiss and/or Strike Plaintiff's Amended Complaint;
- (2) Plaintiff's Brief in Opposition to Motion to Dismiss and/or Strike Plaintiff's Amended Complaint, which brief was filed on December 13, 2012; together with
  - (A) Declaration of Lisa Steinagel dated December 13, 2012;
- (3) Defendant's Motion to Strike [Plaintiff's Declaration] filed on January 9, 2013; together with
  - (A) Defendant's Brief in Support of Motion to Strike;
- (4) Plaintiff's Memorandum of Law in Opposition to Defendant's Motion to Strike Plaintiff's

Affidavit, which memorandum was filed on January 25, 2013; and

(5) Amended Complaint filed on November 23, 2012;

and for the reasons expressed in the accompanying Opinion,

IT IS ORDERED that Defendant's Motion to Strike is granted.

IT IS FURTHER ORDERED that the Declaration of Lisa Steinagel dated December 13, 2012 is stricken from Plaintiff's Brief in Opposition to Motion to Dismiss and/or Strike Plaintiff's Amended Complaint.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss and/or Strike Plaintiff's Amended Complaint is granted in part and denied in part.

IT IS FURTHER ORDERED that the Motion to Dismiss/Strike is granted to the extent that it seeks to strike paragraphs 8-13 and part of paragraph 31 from the Amended Complaint.

IT IS FURTHER ORDERED that paragraphs 8-13 and the second sentence in paragraph 31 are stricken from the Amended Complaint.

IT IS FURTHER ORDERED that the Motion to Dismiss/Strike is denied to the extent that it seeks to dismiss

plaintiff's age discrimination claims from Count I and Count II of the Amended Complaint.

IT IS FURTHER ORDERED that defendant shall have until October 21, 2013 to file and serve an answer to plaintiff's Amended Complaint.

BY THE COURT:

/s/ James Knoll Gardner \_\_\_\_\_  
James Knoll Gardner  
United States District Judge